

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:23-CV-140-D

SOFTWARE AUTOMATION
HOLDINGS, LLC,

Plaintiff,

v.

INSURANCE TOOLKITS, LLC,
et al.,

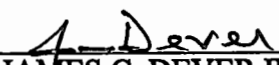
Defendants.

ORDER

On November 17, 2023, the court held a hearing on defendants' motion to dismiss for lack of personal jurisdiction and failure to state a claim [D.E. 14]. As explained in open court, the court GRANTS defendants' motion to dismiss defendant Frankie Primerano for lack of personal jurisdiction. See Fed. R. Civ. P. 12(b)(2). The court also GRANTS IN PART and DENIES IN PART defendants' motion to dismiss for failure to state a claim upon which relief can be granted. See Fed. R. Civ. P. 12(b)(6). The court DISMISSES counts two, seven, nine, and eleven. The court DECLINES to dismiss counts three, four, five, six, and ten.

If plaintiff wishes to file an amended complaint, the amended complaint is due no later than December 8, 2023. If plaintiff files an amended complaint, defendants shall plead in response to the amended complaint no later than January 8, 2024. If plaintiff does not file an amended complaint, defendants' answer to the complaint is due no later than January 8, 2024.

SO ORDERED. This 17 day of November, 2023.


JAMES C. DEVER III
United States District Judge